

From: Brian Tvenstrup
To: Microsoft ATR
Date: 1/19/02 4:56pm
Subject: Microsoft Settlement

Judge Kollar-Kotally,

Throughout the entire Microsoft anti-trust case, every court has found that Microsoft has abused its market power in a monopolistic fashion and stifled competition while earning unjust profits in the process. Furthermore, Microsoft has consistently shown itself to be unable or unwilling to police its own actions to bring them into accord with appropriate standards of conduct within a free-market community. Consequently, I believe that the proposed Microsoft settlement you are currently considering is fatally flawed. First, it does not adequately punish Microsoft for its violations to date and allows them to continue to enjoy the fruit of their anti-competitive and illegal behavior. Second, it provides no meaningful provisions to ensure that Microsoft will not repeat these sorts of activities in the future, because it does not structurally alter its ability to do so. I urge you to reject this proposal and accept only a more stringent and punitive set of remedies that will address the underlying issues of punishment and deterrence.

Sincerely,

Brian Tvenstrup

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